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October 29, 2021

VIA ECF

Vernon S. Broderick
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

APPLICATION GRANTED
SO ORDERED *[Signature]*
VERNON S. BRODERICK
U.S.D.J. 11/1/2021

Re: Jason Mason v. City of New York, CO Mayo, CO White, CO Holland,
and CO Ramirez, 19-CV-5450 (VSB)

Your Honor:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Corporation Counsel of the City of New York, attorney for Defendants City of New York, Correction Officers White, Mayo, Ramirez, and Holland (“Defendants”) in the above-referenced matter. For the reasons stated herein, Defendants write to request that the Court adjourn sine die the telephonic post-discovery conference currently scheduled for November 18, 2021. ECF No. 103. This request is made without Plaintiff’s consent because he is currently incarcerated and therefore cannot be expeditiously contacted.

During a telephonic conference held on October 26, 2021, Defendants incorrectly represented to the Honorable Katharine Parker that this case was trial ready. This was inaccurate, and Defendants’ apologize for this misrepresentation. Based on Defendants’ position as conveyed, Judge Parker recommended that this matter be marked as trial-ready. See id. Several hours after the October 26, 2021 conference, this Court scheduled a telephonic post-discovery conference for November 18, 2021. Id.

On October 27, 2021, Defendants filed a letter addressed to Judge Parker correcting their error and requested that the Court endorse their proposed discovery and briefing schedule. ECF No. 104. By Order dated October 28, 2021, Judge Parker granted Defendants’ request, scheduling the close of fact discovery for January 25, 2022 and setting a briefing schedule for Defendants’ anticipated motion for summary judgment. ECF No. 105.

Accordingly, because this case is not trial ready and discovery is still ongoing, Defendants respectfully request that the Court adjourn sine die the telephonic post-discovery conference currently scheduled for November 18, 2021. ECF No. 103.

Thank you for your consideration in this matter.

Respectfully submitted,

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